in a Court of Law can be proceeded against under the relevant provisions of Indian Penal Code, 1860. Suitable departmental action against him can also be taken if he is convicted on the charge or as per such other directions as are given by the Court.

Imposing Penalties on Alleged Misconduct Pending Adjudication

8264. SHRI J. S. RAJU: Will the PRIME MINISTER be pleased to state:

(a) whether penalties specified in CCS (CCA) Rules, 1965 can be imposed for alleged misconduct which is subjudice and is pending adjudication in High Courts; and

(b) if so, what are the details of relevant provisions in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) and (b) There is no legal bar to taking departmental disciplinary action under the CCS (CCA) Rules, 1965 against a Government servant where criminal prosecution on the same charge is pending against him.

Annual Confidential Reports

8265. PROF. VIJAY KUMAR MALHOTRA: Will the PRIME MINISTER be pleased to state:

(a) whether the Jaipur Bench of the Central Administrative Tribunal has held that annual confidential reports are not 'secret';

(b) if so, what are the facts of the judgement; and

(c) the action Government propose to take thereon?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) and (c) The information is being collected and will be laid on the Table of the House.

अन्य पिछड़े वर्गों के लिए आरक्षित रिक्तियों को भरने के लिए योजनाएं

8266. **श्री अनन्तराम जायसवाल** : क्या **प्रधान मंत्री** यह बताबताने की कृपा करेंगे कि :

(क) क्या सरकार भिन्न मंत्रालयों में अन्य पिछड़े वर्गों के लिए आरक्षित रिक्तियों को भरने के लिए कोई नई योजना शुरू की है ;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

कार्मिक, लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री (श्रीमती मारग्रेट आल्वा) (क) से (ग) अन्य पिछड़े वर्गों के आरक्षण की विद्यमान योजना 8 सितम्बर, 1993 को ही आरम्भ की गई थी अतः इस स्तर पर किसी नई योजना की आवश्यकता प्रतीत नहीं होती।

सरकारी सेवा में आपराधिकरिकार्ड वाले व्यक्ति

8267. **श्री शारदा महन्ती** : क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि उन व्यक्तियों की संख्या क्या है जिनके नाम पुलिस की अपराधियों और गुनाहगारों (हिस्ट्रीशीटर्स) की पक्की सूची में हैं और जो आमतौर से दिल्ली में सरकार की नौकरी में हैं और विशेष रूप से पुलिस में हैं तथा रामकृष्ण पुरम के पुलिस स्टेशन जैसे स्थानों पर नियुक्त हैं और वे सरकारी सेवा में किस प्रकार से हैं ?

कार्मिक, लोक शिकायत पेंशन मंत्रालय में राज्य मंत्री (श्रीमती मारग्रेट आल्वा) : यह सुनिश्चित करने के लिए कि अवांछनीय तत्व जिसमें पूर्व आपराधिक रिकार्ड वाले व्यक्ति भी शामिल हैं, सरकारी सेवा में भर्ती न हो सकें, इसके लिए सरकार के अधीन नियुक्ति के लिए

नियुक्ति से पूर्व चरित्र एवं पूर्ववृत्तों का सत्यापन करना एक पूर्व अपेक्षा बना दी गई है । दिल्ली से सरकारी सेवा में ऐसे किसी अवांछनीय तत्वों, जिसमें दिल्ली पुलिस भी शामिल हैं, की नियुक्ति ध्यान में नहीं आई है ।

Disciplinary proceedings under Rule 14 of CCS (CCA) Rules, 1965

8268. SHRI RAGHAVJI: Will the PRIME MINISTER be pleased to state:

(a) whether a disciplinary proceeding initiated under Rule 14 of CCS (CCA) Rules, 1965 can be concluded without affording the accused any opportunity to lead his witnesses and evidence whatsoever; and

(b) if so, details of the relevant provisions and if not, what are the corrective measures available to the awardee of a penalty and what is the methodology thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) No, Sir.

(b) Where a penalty has been imposed without giving adequate opportunity to the delinquent Government servant to present evidence through his own witnesses he may prefer an appeal or revision/review petition to the prescribed authority.

Separate lists for substantive appointments and temporary vacancies

8269. SHRI H. HANUMAN THAPPA:

SHRI SURESH PACHOURI:

Will the PRIME MINISTER be pleased to state:

(a) whether the Central Administrative Tribunal in a recent judgement has held that Central Secretariat Service Rules contemplate preparation of two separate select lists, one for the purpose of making substantive appointments to Section Officers Grade and the other for the purposes of filling temporary vacancies in this grade and that the manner of preparation of both these lists is to be laid down in the Fourth Schedule to these Rules;

(b) whether the Schedule requires fixation of a centralised zone for the purposes of making such select lists;

(c) whether substantive appointments in the past have been made without any such centralised zone having been fixed and it has resulted in the inter-cadre anomalies in the substantive appointments of the select list officers; and

(d) whether Government propose to fix centralised zones for the purposes of making substantive appointments of select list officers with a view to remove these anomalies?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) Sub rule (1) of rule 13 of CSS rules, 1962 deals with appointments against substantive vacancies; and sub rule (2) of the same deals with appointments against temporary vacancies. Sub rule (5) of the same rule provides that "for the purpose of sub-rule (1) and (2), a Select List for Section Officers Grade shall be prepared and may be revised from time to time.' Thus, one Select List is prepared for this purpose. The incumbents of the Select List get appointed substantively on availability of substantive vacancies. From 1989, however, all appointments including appointments in the Select List, are made against regular vacancies. The Central Administrative Tribunal has not changed the above position in its recent judgement in OA Nos. 996/1993, 157/1994, 492/1994 and 629/1994;

(b) to (d) The Fourth Schedule to CSS Rules, 1962 provides that officers